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September 12, 2017

Regional Freedom of Information Officer
U.S. EPA, Region 6
1445 Ross Avenue (6MD-OE)
Dallas, TX 75202-2733

Re: Freedom of Information Act Request regarding Class II disposal wells in Osage County, Oklahoma

To whom it may concern:

By this letter, I am formally requesting through the Freedom of Information Act, 5 U.S.C. § 552, as amended ("FOIA"), information related to Class II disposal wells located in Osage County, Oklahoma. I am requesting copies of any and all records in the possession of the U.S. Environmental Protection Agency ("EPA") as set forth below:

1. A list of all Class II disposal wells meeting the following criteria:
 - a. Disposing into the Arbuckle formation;
 - b. Active at any time after December 31, 2009, to the present date; and
 - c. Located within the following Sections, Townships, and Ranges in Osage County, Oklahoma:
 - i. Township 21N, Range 7E, Sections 1-5 and 8-15;
 - ii. Township 22N, Range 6E, Section 1;
 - iii. Township 22N, Range 7E, Sections 1-14, 23-27, and 33-36;
 - iv. Township 22N, Range 8E, Sections 6, 7, 18, 19, and 30;
 - v. Township 23N, Range 3E, Sections 1-5, 8-16, and 22-25;



- vi. Township 23N, Range 4E, Sections 2-10 and 16-18;
 - vii. Township 23N, Range 5E, Sections 1, 24, and 25;
 - viii. Township 23N, Range 6E, all Sections;
 - ix. Township 23N, Range 7E, all Sections;
 - x. Township 23N, Range 8E, Sections 6, 7, 18, 19, 30, and 31;
 - xi. Township 24N, Range 2E, Section 1;
 - xii. Township 24N, Range 3E, Sections 24-28 and 32-36;
 - xiii. Township 24N, Range 4E, Sections 1-5, 8-17, and 19-35;
 - xiv. Township 24N, Range 5E, Sections 1-19, 22-25, and 36;
 - xv. Township 24N, Range 6E, all Sections;
 - xvi. Township 24N, Range 7E, all Sections;
 - xvii. Township 25N, Range 2E, Sections 1, 2, 11-14, 24, 25, 35, and 36;
 - xviii. Township 25N, Range 3E, all Sections;
 - xix. Township 25N, Range 4E, all Sections;
 - xx. Township 25N, Range 5E, all Sections;
 - xxi. Township 25N, Range 6E, all Sections;
 - xxii. Township 25N, Range 7E, Sections 7, 17-21, and 28-34;
 - xxiii. Township 26N, Range 2E, Sections 25, 35, and 36;
 - xxiv. Township 26N, Range 3E, Sections 25 and 30-36;
 - xxv. Township 26N, Range 4E, Sections 1 and 8-36;
 - xxvi. Township 26N, Range 5E, Sections 3-36; and
 - xxvii. Township 26N, Range 6E, Sections 18-21 and 27-35.
2. All applications for the above-specified Class II disposal wells submitted to EPA, along with all documents and materials attached to or submitted in support of such applications;



3. All permits issued by EPA for the above-specified Class II disposal wells; and
4. All documents and materials submitted to EPA by the permitted operators of the above-specified Class II disposal wells in compliance with any periodic reporting requirements applicable to Class II disposal wells.

If EPA is unable to furnish the records requested in categories 2-4 above within a reasonable time, I request that EPA still produce the list requested in category 1, and then allow our office the option of visiting the location where the records requested in categories 2-4 are maintained so that we may review and make copies of those records ourselves.

I prefer that the records be produced digitally in conventional file formats, as they are maintained (e.g., .pdf, .jpg, .tiff, .doc, .docx, .rtf, .txt, .msg, .xls, .xlsx). Production in hardcopy is acceptable if digital production is not feasible or if conversion to a digital format would involve a significant expense. If there is an option to convert records from hardcopy to a digital format, I wish to be advised as to the associated costs and given an opportunity to choose to have then digitized before EPA produces the records. Similarly, if responsive records are maintained digitally in unconventional formats unlikely to be readable or accessible without specialized or uncommon software, I wish to be advised as to the format of those records, whether conversion of such records to a more standard format is possible, and the costs associated with such conversion before EPA produces the records.

If you require further explanation or description of these areas of inquiry, please contact me at your earliest convenience. If any portion of this request is denied, I request a detailed statement of the reasons for the withholding of records or an index or similar statement of the nature of the records withheld. As to those records that may be exempt under FOIA § 552(b), I request that the EPA exercise its discretion in favor of disclosing the same.

I understand that pursuant to FOIA § 552(b), any “reasonably segregable portion of the record will be provided” should a determination be made that a part of the information requested cannot be disclosed.

In the event any of the records requested require extensive pre-release processing, I ask that the remaining records be made available in advance of processing the entire request.

I hereby acknowledge that I am responsible for all costs involved in the copying and forwarding of this information to me, and am willing to incur such costs up to the amount of \$10,000. If the costs associated with copying and forwarding all responsive materials will exceed \$10,000, I wish to be advised as to the quantity of materials that would require costs in excess of \$10,000 and provided with an estimate of the excess costs.

Please contact me at 405-568-3303 once responsive materials are available or if you have any questions regarding this request.



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Thank you for your consideration.

Regards,

Lewis T. LeNaire
For the Firm

LTL:lw